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Counsel for Defendants Google LLC et al.

[Additional counsel appear on signature page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**DECLARATION OF MICHAEL J. ZAKEN
IN SUPPORT OF PARTIES' JOINT
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED PURSUANT TO CIVIL LOCAL
RULE 79-5**

Judge: Hon. James Donato
Trial Date: November 6, 2023
Time: 9:00 am
Place: Courtroom 11, 19th Floor

1 I, Michael J. Zaken, declare as follows:

2 1. I am a Partner at Cravath, Swaine & Moore LLP, counsel to Epic Games, Inc. in the
 3 above-captioned actions. I am admitted to appear before this Court pro hac vice.

4 2. I have personal, first-hand knowledge of the facts set forth in this Declaration. If called
 5 as a witness, I could and would competently testify to these facts under oath.

6 3. Portions of the Parties' exhibits admitted during trial and filed in compliance with Local
 7 Rule 5-1(g)(1)(A) contain certain Third Parties' confidential information. The following table shows
 8 the portions of those Exhibits that contain Third Parties' confidential information.

Party	Exhibit No.	Pages
Amazon	1362	-001 (all text below the gray row except for cell B4) -002 (all text in the chart except for cell C14) -003 (all text in the chart except for cell D21)
	1363	-Summary_1 (entire tab) -Summary_2 (entire tab) -Summary_3 (entire tab)
	1366	-002 (all text except for Q&A 3) -003-15 (entire pages) -017-18 (entire pages)
	11406	-003-07 (entire pages)
Apple	1492	-002 (under "(a) Safari (Web Browser Software), in second paragraph from "Web Browser Software" to end of sentence) -002 (definition of term following "Default") -008 (information in the paragraph continued from previous (not excerpted) page) -008 (information in the paragraph following "Annual CEO-Check-In") -008 (information under "6. Limitation of Liability";)
	1493	-005 (information in row 1 of the Relationship Map related to "Ads (GCAS)") -005 (information in row 2 of the Relationship Map related to "Ads (GMP)") -005 (information in row 5 of the Relationship Map related to "Corp Eng") -005 (information in row 6 of the Relationship Map related to "Cloud")
Nintendo	1524	-007 (graphic on the bottom right) -016 (entire first row of the table on the left) -027 (entire eleventh row) -028 (entire third bullet under "Cloud Deals") -030 (right two cells of the tenth row)

1 Party	2 Exhibit No.	3 Pages
		-035 (entire fifth line of speaker notes) -037 (entire third bullet; entire third sub bullet) -038 (second through eighth words and tenth through twelfth words of third bullet on the leftmost column) -041 (entire sixth row)
	384	-011 (entire fourth bullet of speaker notes) -014 (entire eleventh row of table) -015 (entire eleventh row of table) -019 (first, third and sixth columns of the fourth row of table) -025 (first word in footnote 1 and fourth word in footnote 1 through the end of footnote 1) -042 (entire fifth bullet of speaker notes) -043 (entire third bullet) -044 (entire fourth row of chart) -052 (in the last two lines in the bottom left box: the first through third words, and the sixth word through the end) -058 (first and last columns of the fourth row of table)
Riot	11221	-Entire exhibit
	11222	-Entire exhibit
	11226	-Entire exhibit
	11227	-Entire exhibit
	11229	-Entire exhibit
Sony	7089	-Entire ninth row
	7090	-Entire eleventh row
TikTok Inc.	2698	-052 (entire page)
Warner Bros. Discovery, Inc.	1704	-014 (entire fifth bullet point that references HBO under the column “[Status] Asks”) -016 (entire fifth bullet point that references HBO under the column “[Status] Asks”) -019 (entire bullet point that references HBO Now Subscribers)
	2698	-052 (entire subheading that references WarnerMedia and the green bar in the graph that references WarnerMedia revenue)
	5674	-016 (entire blue bar in the graph that references HBO Now average subscription information)

DECLARATION OF MICHAEL J. ZAKEN IN SUPPORT OF PARTIES' JOINT ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED PURSUANT TO CIVIL LOCAL RULE 79-5

Case Nos. 3:21-md-02981-JD; 3:20-cv-05671-JD

1 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and
2 correct and that I executed this declaration on December 21, 2023 in New York, NY.

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4 */s/ Michael J. Zaken*
5 Michael J. Zaken
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1 **E-FILING ATTESTATION**

2 I, Gary A. Bornstein, am the ECF User whose ID and password are being used to file this
3 document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories
4 identified above has concurred in this filing.

5
6 */s/ Gary A. Bornstein* _____
7 Gary A. Bornstein
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DECLARATION OF MICHAEL J. ZAKEN IN SUPPORT OF PARTIES' JOINT ADMINISTRATIVE MOTION TO CONSIDER
WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE SEALED PURSUANT TO CIVIL LOCAL RULE 79-5

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